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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.       | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------|------------------|
| 10/636,066   | 08/04/2003  | Leonardo Gomez       | 42756/262383              | 1003             |
| 23370  | 7590        | 05/30/2006           | EXAMINER<br>DUONG, HUNG V |                  |
| JOHN S. PRATT, ESQ<br>KILPATRICK STOCKTON, LLP<br>1100 PEACHTREE STREET<br>ATLANTA, GA 30309 |             |                      | ART UNIT<br>2835          |                  |

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/636,066

Applicant(s)

GOMEZ, LEONARDO

Examiner

Hung v Duong

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 is/are allowed.
- 6) ☒ Claim(s) 9-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

HUNG VAN DUONG  
PRIMARY EXAMINER

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ellis et al (US Pat. 6,233,817)

Regarding claims 9-10, Ellis et al disclose a device comprising a molded electronic component designed to comply with preset operating characteristics comprising a substrate 12 for holding passive circuit elements 3c, 3d and a material molded about the substrate 1 and circuit elements 14, 16 and 18, wherein the interaction of the material and the circuit elements 14, 16 and 18 forms a circuit causing the component to perform at the preset operating characteristics wherein the material forms a housing that is marked with indicia to indicate an operating characteristic associated with the component (column 2, lines 5-12).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al (US Pat. 6,233,817) in view of Nishijima (US Pat. 6,150,905).

Regarding claims 11-14 Ellis et al disclose all the subject matter of the claimed invention except for means for interfacing with a piece of equipment selected from the group consisting of telecommunications equipment, consumer electronics equipment, and computer equipment. However Nishijima discloses a dielectric filter. Therefore, it would be obvious to one of ordinary skill to modify means for interfacing with a piece of equipment selected of Nishijima into Ellis et al's housing in order to provide a fine adjustment of electromagnetic coupling between the equipment.

Regarding claim 14, the structure as mentioned above can performed the method claim.

***Allowable Subject Matter***

5. Claims 1-8 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that a first circuit comprising at least one resistor, at least one inductor, and at least one capacitor; a housing comprising a material that is formed about the first circuit to encapsulate the circuit so that the combination of the circuit and material forms a second circuit having predetermined operating characteristics.

***Response to Amendment***

6. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

None.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Duong whose telephone number is (571) 272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

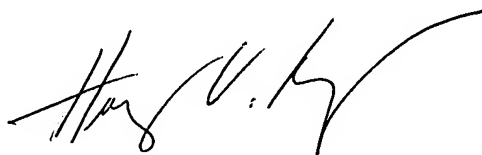
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (866) 217-9197.

HVD

05/27/06

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a stylized flourish at the end.

Hung Duong  
Primary Examiner.